

On May 12, 1939, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 21 jars of Ung Nigrum, 22 cartons of U. N. Rectal Cones, and 23 cartons of U. N. Vaginal Cones at Portland, Oreg.; alleging that the articles had been shipped in interstate commerce on or about October 4, 1938, by U. N. Laboratories from Seattle, Wash.; and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analyses showed that the Ung Nigrum contained silver nitrate (5.25 percent), mercury (3.35 percent), and phenol (1.68 percent); that the U. N. Rectal Cones contained silver nitrate (0.015 gram), mercury (0.062 gram), and cocoa butter; and that the U. N. Vaginal Cones contained silver nitrate (0.1 gram), mercury (0.02 gram), and gelatin.

The articles were alleged to be adulterated in that their purity fell below the professed standard or quality under which they were sold, namely,  $\text{AgNO}_3$ , since they contained other ingredients in addition to silver nitrate.

Misbranding was alleged in that the following statements in the labeling were statements regarding the curative or therapeutic effects of the articles and were false and fraudulent: (Ung Nigrum, jar) "Apply U. N. Paste freely on burns, fresh or infected wounds, ulcers, \* \* \* and infectious skin diseases"; (Rectal Cones, circular) "They are effective in the treatment of internal hemorrhoids, fissures or rectal inflammation"; (Vaginal Cones, carton) "Indicated in Pelvic Inflammation, Trichomonas and all Vaginal Infections," (circular) "Indicated and effectual in pelvic inflammation, trichomonas and all other infections \* \* \* in acute cases." The Ung Nigrum was also alleged to be misbranded in violation of the Federal Caustic Poison Act reported in notice of judgment No. 91 published under that act.

On June 29, 1939, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**30791. Adulteration and misbranding of gauze bandage and gauze pads. U. S. v. 90 Dozen Packages of Gauze Bandage and 50 Cartons of Gauze Pads. Decrees of condemnation. Gauze bandages ordered delivered to a veterans' hospital for sterilization and use; gauze pads ordered destroyed. (F. & D. Nos. 45360, 45481. Sample Nos. 37218-D, 66107-D.)**

These products had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination they were found to be contaminated with viable micro-organisms.

On May 22 and June 9, 1939, the United States attorneys for the Western District of North Carolina and the District of Nebraska, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 90 dozen packages of Surgical Gauze Bandage at Charlotte, N. C., and 50 cartons of Desco Dispensary Gauze Pads at Lincoln, Nebr.; alleging that the articles had been shipped on or about February 8 and March 8, 1939, from Worcester, Mass., by the Handy Pad Supply Co.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The articles were alleged to be adulterated in that their strength and purity fell below the professed standard under which they were sold, namely, "Sterilized," since they were not sterile but were contaminated with viable micro-organisms.

They were alleged to be misbranded in that the following statements appearing on their labels were false and misleading when applied to articles that were not sterile but were contaminated with viable micro-organisms and were, therefore, not suitable for surgical use: (Gauze bandage) "Sterilized," "Surgical Gauze Bandage," "Sterilized After Packaging," "Prepared Especially for The Medical Profession," and "This bandage has been carefully manufactured under most sanitary conditions, for surgical use"; (gauze pads) "Sterilized after packaging at 250 degrees Farh.," "Prepared for the Medical Profession," and "Dispensary Gauze Pads."

On June 12 and 20, 1939, the consignee of the gauze pads having admitted the allegations of the libel, and no appearance having been entered in the case involving the gauze bandages, judgments of condemnation were entered, and the pads were ordered destroyed and the bandages were ordered delivered to a veterans' hospital for use after having been adequately sterilized.

HARRY L. BROWN, *Acting Secretary of Agriculture.*